

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 31. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

CHILDREN'S HEALTH INSURANCE PROGRAM

PREAMBLE

1. Sections Affected

R9-31-901

Rulemaking Action

Repeal

2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 36-2986

Implementing statute: A.R.S. § 36-2982

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Docket Opening: 12 A.A.R. (page #), August 4, 2006

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Mariaelena Ugarte

Address: AHCCCS

Office of Legal Assistance

701 E. Jefferson, Mail Drop 6200

Phoenix, AZ 85034

Telephone: (602) 417-4693

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The proposed rule provides current regulations for processing and finding erroneous Medicaid payments due to eligibility and recipient liability errors as detected through the Medicaid Eligibility Quality Control (MEQC) program. These processes are required in an Intergovernmental Agreement (IGA) and not in rule, therefore the MEQC related proposed rules are to be repealed.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rule or proposes not to rely on in its evaluation of or justification for the

rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Administration foresees a minimal impact since the processes are not changed, the rules being repealed are addresses in an IGA between the Department and the Administration.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Mariaelena Ugarte

Address: AHCCCS

Office of Legal Assistance

701 E. Jefferson, Mail Drop 6200

Phoenix, AZ 85034

Telephone: (602) 417-4693

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov

Proposed rule language will be available on the AHCCCS website www.azahcccs.gov the week of July 31, 2006.

Please send written comments to the above address by 12:00 p.m., September 18, 2006. E-mail comments will be accepted.

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: September 18, 2006

Time: 10:00 a.m.

Location: AHCCCS

701 East Jefferson

Phoenix, AZ 85034

Nature: Public Hearing

Date: September 18, 2006

Time: 10:00 a.m.

Location: ALTCS: Arizona Long-Term Care System

110 South Church, Suite 1360

Tucson, AZ 85701

Nature: Public Hearing

Date: September 18, 2006

Time: 10:00 a.m.

Location: ALTCS: Arizona Long-Term Care System
3480 East Route 66
Flagstaff, AZ 86004

Nature: Public Hearing

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

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Article 9. ~~QUALITY CONTROL~~ Repealed

Section

R9-31-901. ~~General Provisions~~ Repealed

ARTICLE 9. QUALITY CONTROL Repealed

R9-31-901. General Provisions Repealed

~~A. The Director has full operational authority to adopt rules or to use the appropriate rules for administration and oversight of quality control as specified in A.R.S. § 36-2986.~~

~~B. As specified in A.R.S. § 36-2982, the Administration has the authority to establish a process to audit eligibility determinations made by AHCCCS or the entities with which the Administration contracts or enters into an intergovernmental agreement.~~